

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

THE UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
and )  
)  
CHEROKEE NATION, )  
CHICKASAW NATION, and )  
CHOCTAW NATION OF OKLAHOMA, )  
)  
Intervenor Plaintiffs, )  
)  
and )  
)  
MUSCOGEE (CREEK) NATION, )  
)  
Consolidated Plaintiff, )  
)  
v. )  
)  
MATTHEW J. BALLARD, )  
)  
Defendant. )

Case No. 24-CV-0626-CVE-SH  
(BASE FILE)

Consolidated with:  
Case No. 25-CV-0050-CVE-SH

**DEFENDANT MATTHEW J. BALLARD’S RESPONSE  
TO UNITED STATES’ MOTION FOR STAY OF PROCEEDINGS**

Defendant Matthew Ballard, District Attorney for the Twelfth Prosecutorial District of Oklahoma, does not object to or expressly consent to the United States' request for a 90-day stay of proceedings. Defendant appreciates and welcomes opportunities for *good faith* discussion and recognizes the Court's discretion in managing its docket.

Defendant respectfully submits the following context, not as opposition to the Motion, but to help frame the scope and feasibility of any contemplated settlement discussions:

1. Defendant is a single district attorney and possesses legal authority only within the limited geographic and jurisdictional bounds of the Twelfth District. Any potential resolution must

account for that limitation, including any statutory or other legal constraints on his authority to compromise enforcement obligations.

2. Defendant did not initiate this lawsuit and maintains a continuing responsibility to enforce state law and ensure public safety within his district. He cannot agree to any arrangement that would impair those duties or conflict with his legal obligations.

3. Defendant remains optimistic that potential discussions will involve more than demands for him to relinquish enforcement authority. Any such issues appear to implicate broader legal questions that are likely to be addressed by the United States Supreme Court soon.

4. To the extent a stay is granted, Defendant respectfully suggests that a joint report after 45 days may be unnecessary or counterproductive. Settlement discussions are most effective when conducted with confidentiality and flexibility. And any party should retain the discretion to promptly inform the Court if discussions fail to suggest a reasonable prospect of resolution.

If this Court deems a stay appropriate, Defendant is willing to participate in settlement discussions in good faith within the bounds of his authority and duties and looks forward to working with all parties in a constructive manner.

Date: June 23, 2025

Respectfully submitted,

s/Phillip G. Whaley

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*Attorneys for Defendant*  
*Matthew J. Ballard*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 23, 2025, I electronically transmitted the foregoing document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing.

s/Phillip G. Whaley  
Phillip G. Whaley